

Panaji, 26th December, 1985 (Pausa 5, 1907)

SERIES I No. 39

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Notification

5/3/85-PER(I)

In exercise of the powers conferred by sub-rule (2) of Rule 9, sub-rule (2) of Rule 12 and Rule 24 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, read with

item (iii) of Serial No. 4 of Part III and item (iii) of Serial No. 1 of Part IV of the Schedule appended thereto, the Administrator of Goa, Daman and Diu in supersession of the Notifications issued in this respect from time to time, hereby specifies, in relation to the posts mentioned in column 2 of the Schedule appended hereto, the following appointing authorities, the disciplinary authorities, the penalties which the said disciplinary authorities may impose and the appellate authorities in the corresponding entries in columns 3, 4, 5 and 6, respectively, of the said Schedule.

SCHEDULE

| Sr. No. | Description of post | Appointing Authority | Authority competent to impose penalties and which it may impose (with reference to item numbers in Rule 11) | | Appellate Authority |
|---------|--|--------------------------------------|---|-------------------------|--|
| | | | Authority | Penalties | |
| 1 | 2 | 3 | 4 | 5 | 6 |
| 1. | All Group 'C' and 'D' posts in the office of the Registrar of Co-operative Societies, Panaji, Goa. | Registrar of Co-operative Societies. | i) Registrar of Co-operative Societies. ii) Deputy Registrar of Co-operative Societies. | All Minor Penalties. | Secretary (Co-operation) Registrar of Co-operative Societies. |

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 4th December, 1985.

Legislative Assembly of Goa, Daman and Diu
(Legislature Department)

Notification

LA/B/2537/1985

In exercise of the powers conferred on him by Rule-127 of the Rules of Procedure and Conduct of Business of the Legislative Assembly of Goa, Daman and Diu, the Speaker has ordered publication of the following Bill for general information.

The Goa, Daman and Diu Official Languages Bill, 1985
(Bill No. 30 of 1985)

A BILL

to declare the Official languages for the Union territory of Goa, Daman and Diu.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Goa, Daman and Diu Official Languages Act, 1985.

(2) It extends to the whole of the Union territory of Goa, Daman and Diu.

(3) It shall come into force at once. .

2. *Definitions.*— In this Act, unless the context otherwise requires:—

(a) "Government" means the Government of Goa, Daman and Diu.

(b) "Gujarathi" means the Gujarathi language included in the Eighth Schedule of the Constitution of India.

(c) "Konkani" means the Konkani language in Roman and Devanagari Script.

(d) "notification" means a notification published in the Official Gazette.

3. *Official language for the official purposes of the Union territory.*— Subject to the provisions of this Act, Konkani in relation to the District of Goa and Gujarathi in relation to the Districts of Daman and Diu shall be the Official languages to be used for all official purposes of the Union territory except such purposes as the Government may, from time to time, by notification, specify.

4. *Laying of notification on the table of the Legislative Assembly.*— Every notification issued under this Act shall be laid, as soon as may be after it is issued, on the table of the Legislative Assembly while it is in session for a period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly agree in making any modification in the notification or agree that the notification should not be issued, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that notification.

Statement of Objects and Reasons

The Bill proposes to enact a legislation in pursuance of Section-34 of the Union Territories Act to adopt the languages in use in this territory namely 'Konkani' and 'Gujarathi' as the Official languages.

The territory has had a distinct and continuous identity since last more than 475 years and during all this period Konkani has remained the language spoken, written and understood by every person of the territory. This language has identified its people as a separate and distinct entity. This language has been the means of basic communication within its people irrespective of their social status, caste or creed.

It is through the Konkani language the poets, artists, writers, musicians and others of the cultural and spiritual world have enhanced and created their contribution to the territory. The soul of this territory thinks in Konkani.

The territory has been advancing its knowledge of other language may be it be Marathi, English, Portuguese or French yet every person of the territory has for its common factor the Konkani language.

The Indian Union has divided itself on linguistic basis and in the circumstances to maintain the identity of the territory and its people Konkani should be made its Official language.

This language which was not encouraged by the erstwhile colonial rule should be given all the encouragement now that we are within the Indian Union.

It would be most fitting that the language Konkani be adopted as the Official language for the District of Goa and Gujarathi which is in use in Daman and Diu as the Official language of those areas.

Financial Memorandum

Since this Bill proposes to empower the Government to implement the legislation step by step, no immediate financial commitments are involved.

Memorandum Regarding Delegated Legislation

Clause-3 of the Bill empowers the Government to exempt the use of Official language for such purposes as it may specify by notification. This delegation is of normal character.

Panaji,
6th December, 1985.

F. MONTE CRUZ
M. L. A.

Assembly Hall,
Panaji,
17th December, 1985.

M. M. NAIK
Secretary to the Legislative
Assembly of Goa, Daman
and Diu.

Notification

LA/B/2536/1985

In exercise of the powers conferred on him by Rule-127 of the Rules of Procedure and Conduct of the Business of Legislative Assembly of Goa, Daman and Diu, the Speaker has ordered publication of the following Bill for general information.

The Goa, Daman and Diu Official Language Bill, 1985

(Bill No. 31 of 1985)

A BILL

to declare the Official language for the Union territory of Goa, Daman and Diu.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*— (1) This Act may be called the Goa, Daman and Diu Official Language Act, 1985.

(2) It extends to the whole of the Union territory of Goa, Daman and Diu.

(3) It shall come into force at once.

2. *Definitions.*—In this Act, unless the context otherwise requires:—

(a) "Government" means the Government of Goa, Daman and Diu.

(b) "Konkani" means the Konkani language in Devanagari and Roman Script.

(c) "notification" means a notification published in the Official Gazette.

3. *Official language for the official purposes of the Union territory.*—Subject to the provisions of this Act, Konkani shall be the language to be used for all official purposes of the Union territory except such purposes as the Government may, from time to time, by notification, specify:

Provided that in the Districts of Daman and Diu, in addition to Konkani, Gujarathi language may also be used for all official purposes except other than those specified by the Government:

Provided further that for the first 25 years after the commencement of this Act Konkani shall be used both in Devanagari and Roman Script and thereafter exclusively in Devanagari Script.

4. *Laying of notification on the table of the Legislative Assembly.*—Every notification issued under this Act shall be laid, as soon as may be after it is issued, on the table of the Legislative Assembly while it is in session for a period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly agree in making any modification in the notification or agree that the notification should not be issued, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that notification.

Statement of Objects and Reasons

It is a long cherished dream of the people in Goa to maintain its identity as a separate State on the map of India with its mother-tongue Konkani as its sole official language.

The will and wishes of the people of Goa have been manifested in unequivocal terms in the historic Opinion Poll of 1967. The Constitutions and Election Manifestoes of the major political parties in the Union territory of Goa, Daman and Diu have declared as a policy decision that Konkani is the mother-tongue of Goans and a language of Goan people and that they would strive and work for its development and inclusion in the Eighth Schedule of our Constitution. It is noteworthy that though few political parties have pleaded for more than one language as Official language there is not a single political party in the territory which is opposed to make Konkani the Official Language.

The last census published by the Department of Statistics in 1971 has shown that 70 percent of the people speak Konkani and accepted Konkani as their mother-tongue.

The Legislative Assembly of Goa, Daman and Diu have time and again passed unanimous resolutions in furtherance of our twin objectives of Statehood and Official language as both are interrelated since our country has accepted the principle of formation of States on the basis of language. The text of the Resolution No. 1 of 31st March 1982 by Shri Luizinho Faleiro unanimously passed by the House is reproduced below:

"Whereas Konkani is the Mother-tongue of Goans; and

Whereas Sahitya Academy has recognised Konkani as an independent language;

Whereas the Government of Goa, Daman and Diu has recognised Konkani as its regional language;

Whereas writings in Konkani literature were prevalent since 13th century, as can be ascertained from the evidence available in the archaeological departments in Europe, but on account of historical reasons the Konkani literature could not get political shelter, thereby the Konkani could not prosper as compared to other languages;

Whereas Konkani could not prosper upto the mark of expectation even after the liberation of Goa;

Whereas the Government has confined to the fact that all round development of Konkani will be achieved and it is necessary to accept this valuable task of development of Konkani without wasting further time;

Whereas in other States also required facilities are available for research work of Konkani language, but those facilities are not available here in Goa;

Now, therefore, this House strongly recommends Government to establish an "Independent Centre" in order to achieve the all round development of Konkani by:—

- i) promoting research on Konkani language, its literature, culture, history and Lokved;
- ii) publishing to research work carried out;
- iii) translating and publishing in Konkani the selective literature from other languages;
- iv) publishing the standard grammar for Konkani, vocabulary, and books on linguistic science in Konkani; and
- v) taking necessary efforts to develop Konkani in all respects in order to adopt it as an official language of the Government of Goa, Daman and Diu and in Vidhan Sabha."

Similarly by Resolution No. 14 of Shri Luizinho Faleiro it was unanimously resolved on 14th January, 1985 to move the Central Government to take measures to bring necessary legislation to grant Statehood to Goa.

It may be noted that from 19th December 1985 the Government is launching Silver Jubilee Celebrations to mark 25 years of liberation of this territory from Portuguese colonialism and, therefore, there is a growing urge amongst the people of Goa to give official recognition to Konkani and have it included in the 8th Schedule of our Constitution. People, more than ever before are also looking for a unifying force and distinct identity towards the road of statehood.

In order to achieve the aforesaid objects Bill No. 16 of 1985 was moved earlier. This Bill was not opposed by the Opposition MLAs. On the contrary two MLAs had strongly supported the Bill. But the said Bill was refused leave for introduction. The objections raised during the debate were 1) That the Bill was involving financial implications and 2) Section 34 of the Union Territories Act states that the Official Language will be a language for the whole of the Union territory and therefore cannot be restricted only to the District of Goa. As regards the first objection the Honourable Speaker has already given a ruling on 19th July 1985 stating that the Bill will not require any Financial Memorandum. The proposed Bill extends to the entire Union ter-

ritory of Goa, Daman and Diu and thus is within the scope of Section 34 of Union Territories Act.

Financial Memorandum

Since Clause-3 of the Bill empowers the Government to implement the Bill step by step, no immediate financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

Clause-3 of the Bill empowers the Government to exempt the use of Official Language for such purposes as it may specify by notification. This delegation is proposed since the declaration of any official language creates difficulties in the functioning of the Government. The delegation is of normal character.

Panaji,
11th December, 1985.

Assembly Hall,
Panaji,
17th December, 1985.

LUIZINHO FALEIRO
M. L. A.

M. M. NAIK
Secretary to the Legislative
Assembly of Goa, Daman
and Diu.